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20 KAWHI LEONARD

21 14 UNITED STATES DISTRICT COURT
22 15 SOUTHERN DISTRICT OF CALIFORNIA

23 17 KAWHI LEONARD, 24 18 v. 25 20 NIKE, INC. 26 21 Defendant.	23 17 CASE NO.: '19CV1035 BAS BGS 24 18 COMPLAINT FOR: 25 20 DECLARATORY RELIEF 26 21 [JURY TRIAL DEMANDED] 27 22 Action Filed: 28 Trial Date: None set
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29 24 Plaintiff KAWHI LEONARD (“Plaintiff” or “Leonard”), an individual, by
30 and through his undersigned attorneys, hereby alleges as follows against Defendant
31 NIKE, INC. (“Defendant” or “Nike”):

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33 28 ///

INTRODUCTION

1. In 2011, just after being drafted to the National Basketball Association (the “NBA”), Kawhi Leonard authored a unique logo that included elements that were meaningful and unique to him. Leonard traced his notably large hand, and, inside the hand, drew stylized versions of his initials “KL” and the number that he had worn for much of his career, “2.” The drawing Leonard authored was an extension and continuation of drawings he had been creating since early in his college career.

2. Several years later, as part of an endorsement deal with Nike, Leonard allowed Nike to use on certain merchandise the logo he created while Leonard continued to use the logo on non-Nike goods.

3. Unbeknownst to Leonard and without his consent, Nike filed an application for copyright registration of his logo and falsely represented in the application that Nike had authored the logo.

4. Leonard intends to use the logo on clothing lines, footwear and on other products and, among other things, in connection with sports camps and charity functions, but Nike explicitly has objected to such uses.

5. As set forth below, Leonard brings this action seeking a declaratory judgment of non-infringement and that Leonard is the author of the logo and Nike, in registering for copyright of Leonard's logo, committed fraud on the Copyright Office.

JURISDICTION AND VENUE

6. This Court has original subject matter jurisdiction over Leonard's claims pursuant to the Federal Declaratory Judgments Act, 28 U.S.C. §§ 2201 and 2202, as well as under 28 U.S.C. § 1338.

7. Personal jurisdiction exists over Nike pursuant to California Code of Civil Procedure § 410.10.

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8. Venue is proper in this Court pursuant to 29 U.S.C. § 1391(b), because certain events giving rise to the claims made herein occurred in this Judicial District, Plaintiff at relevant times has resided in this Judicial District, and Defendant regularly conducts business in this Judicial District.

THE PARTIES

9. Kawhi Leonard is an American professional basketball player and was at times mentioned herein a resident of the County of San Diego, California.

10. Defendant Nike, Inc. is now, and was at all times relevant herein, a United States multinational corporation that is engaged in the design, development, manufacturing and worldwide marketing and sale of footwear, apparel, equipment and accessories. Nike is headquartered in the State of Oregon and is the world's largest supplier of athletic shoes and apparel.

11. Upon information and belief, Nike regularly transacts business in the State of California and in this Judicial District.

FACTS

A. Background

12. Kawhi Leonard is an American professional basketball player currently playing for the Toronto Raptors of the NBA.

13. After graduating High School, Leonard went on to play basketball for San Diego State University before entering the 2011 NBA draft.

14. Leonard was initially selected by the Indiana Pacers but was traded on draft night to the San Antonio Spurs. Leonard played for the Spurs for seven seasons, including the team's NBA Championship season in 2014. At the conclusion of the NBA Finals in 2014, Leonard was named NBA Finals MVP, the third-youngest player to win the award. In 2018, Leonard was traded to the Raptors

15. Leonard is known for his extremely large hands. Throughout his career, spectators have noticed Leonard's large hands and they are often described as contributing to his success as a player.

1 16. Leonard has worn jersey number “2” through much of his career and,
2 at times before that, the number “22.”

3 **B. Leonard Authors the Logo**

4 17. Since at least his college years, Leonard contemplated and conceived
5 of ideas for a personal logo which would be unique to him and reflect something
6 meaningful relating to his own image.

7 18. In late December 2011 or January 2012, Leonard refined a logo he had
8 been creating for several years that encompassed his large and powerful hands, his
9 initials and his jersey number (the “Leonard Logo”).

10 19. Leonard shared his original work of authorship with family and
11 friends, solicited the advice and expertise of a creative designer, received comments
12 and suggestions, and made modifications to his design.

13 **C. Leonard and Nike**

14 20. On October 26, 2011, Nike and Leonard signed a “Men’s Pro
15 Basketball Contract” (the “Nike Agreement”).

16 21. The Nike Agreement term was from October 1, 2011 to September 30,
17 2014, and thereafter extended in a series of agreements finally expiring on
18 September 30, 2018.

19 22. The purpose of the Nike Agreement was for Leonard to provide
20 “personal services and expertise in the sport of professional basketball and
21 endorsement of the Nike brand and use of Nike products.”

22 23. At some point during the term of the Nike Agreement, Nike began
23 discussions with Leonard about creating a unique logo to affix to merchandise to be
24 sold under the Nike Agreement.

25 24. Nike provided to Leonard its ideas for modifying the logo that Leonard
26 had designed.

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1 25. Leonard for the most part rejected Nike's concepts and, instead,
 2 forwarded to Nike the Leonard Logo which Leonard said he would permit Nike to
 3 use during the term of the Nike Agreement (under his supervision and control).

4 26. Nike reviewed the Leonard Logo, modified it, and returned pro formas
 5 to Leonard in the Spring 2014.

6 27. Leonard rejected those proposals as well.

7 28. In early Summer 2014, Nike provided additional proposals to Leonard
 8 using the Leonard Logo.

9 29. Leonard accepted one of the June 2014 proposals and granted Nike
 10 permission to affix that logo, based upon the Leonard Logo, on Nike merchandise
 11 during the term of the Nike Agreement.

12 30. Nike confirmed that the agreed-upon logo had not previously been
 13 registered by any third-party.

14 31. At the same time, Leonard's representatives confirmed that Leonard
 15 continued to own the Leonard Logo.

16 32. Leonard never transferred the rights to the Leonard Logo to Nike –
 17 conversely, as the many communications, including text and e-mails show, Leonard
 18 permitted Nike to use the Leonard Logo for their mutual benefit and for the specific
 19 purpose of effectuating the Nike Agreement for the term of the contract.

20 33. Indeed, Nike representatives recognized Leonard's rights to the
 21 Leonard Logo – referring to it as “Kawhi's logo” in written communications with
 22 Leonard.

23 34. Leonard, without dispute or challenge from Nike, continued to use the
 24 Leonard Logo on non-Nike goods, including apparel and merchandise used for
 25 basketball camps, appearances and charity events, even while Nike was affixing
 26 Leonard's Logo to Nike merchandise.

27 35. Consistent with Nike's position as a party without any ownership in
 28 the Leonard Logo, Nike refused to act several times when Leonard's

1 representatives learned that third-parties were using the Leonard Logo without
2 authorization and reached out to Nike for assistance and advice in halting the
3 unauthorized use.

4 **D. Nike's Copyright Registration**

5 36. Without Leonard's knowledge or consent, Nike filed an application
6 with the United States Copyright Office to register the "Kawhi Leonard Logo."

7 37. On or about May 11, 2017, the application was granted and the
8 Leonard Logo was given Registration No. VA0002097900.

9 38. On the application, Nike claimed authorship of the Logo and rights
10 and permissions to the Leonard Logo.

11 39. Further, Nike claimed that the Leonard Logo was authored in 2014 and
12 first published on October 28, 2014.

13 40. Nike's claim to ownership of the Leonard Logo is premised on the
14 false representations Nike made in its copyright application that it authored the
15 logo.

16 41. Nike never notified Leonard of its intention to attempt to copyright the
17 Leonard Logo nor did it notify Leonard when the copyright was awarded.

18 **E. Leonard's Trademark Registration**

19 42. On November 9, 2017, Leonard applied for, and subsequently received
20 registration of, two trademarks in three different categories of registration
21 consisting of, and inspired by, Leonard's creation of the Leonard Logo, one an
22 image of his hand, his initials and jersey number and a second logo based upon
23 letters and numbers corresponding to Leonard's initials and jersey number (the
24 "Leonard Trademarks").

25 43. As set forth above, Leonard had been developing, and authored, the
26 Leonard Logo on his own, independent of Nike, and continued to use the Leonard
27 Logo for non-Nike products while also permitting Nike to borrow the Leonard
28 ///

1 Logo in his joint pursuit with Nike to merchandise products within the scope of the
2 Nike Agreement and for the term of the Nike Agreement.

3 **F. The Controversy**

4 44. Leonard intends in the near future to use the Leonard Logo on apparel
5 and footwear that he is actively developing and intends to bring to market and to
6 affix on items he intends to distribute in connection with sports camps and charity
7 events, and to affix on other products to be determined. Use of the Leonard Logo
8 is vital to Leonard's ability to continue to grow his brand and expand both his
9 commercial reach and influence with charities with which he is involved.

10 45. On December 21, 2018, John Matterazzo, Nike's VP & Global
11 Counsel for Sports Marketing, wrote to one of Leonard's representatives, stating
12 that Nike owns the Leonard Logo pursuant to the Nike Agreement and Nike's
13 copyright registration of the Leonard Logo. Matterazzo demanded that Leonard
14 cease using the Leonard Logo on non-Nike merchandise.

15 46. On January 30, 2019, Leonard's counsel responded by requesting that
16 Nike rescind its copyrights in the Leonard Logo and informing Nike that Leonard
17 intended to continue to use the Leonard Logo and Leonard Trademarks on non-
18 Nike merchandise and might affix the Leonard Logo and Leonard Trademarks to
19 the shoes he would be wearing as a player for the Raptors.

20 47. On March 11, 2019, Nike responded that it owns all intellectual
21 property rights in the Leonard Logo and demanding that Leonard immediately
22 cease and desist from what Nike claimed was the unauthorized use of the Leonard
23 Logo.

24 **CLAIM FOR RELIEF**

25 (Declaratory Judgment)

26 48. Plaintiff incorporates by reference each and every allegation in the
27 foregoing paragraphs of this Complaint.

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49. An actual controversy exists as a result of Defendant's filings with the Copyright Office, Leonard's intentions, established plans and need to use the Leonard Logo on products, and Defendant's demands that Leonard cease and desist from using the Leonard Logo.

50. Plaintiff authored and owns the Leonard Logo.

51. Defendant did not author the Leonard Logo.

52. To the extent Defendant contributed any effort to the creation of the Leonard Logo, such efforts did not constitute copyrightable material and/or constitute a “work for hire” within the meaning of 17 U.S.C. §101.

53. Defendant has no rights in the Leonard Logo.

54. Defendant is not entitled to copyright registration of the Leonard Logo.

55. Defendant defrauded the Copyright Office by intentionally misrepresenting the author of the Leonard Logo.

56. As a consequence of the foregoing, Plaintiff seeks a declaratory judgment that (i) Leonard is the sole author of the Leonard Logo; (ii) Leonard's use of the Leonard Logo does not infringe any rights of Nike, including without limitation any rights Nike may claim to possess with respect to the Leonard Logo; and (iii) Defendant committed fraud on the Copyright Office in registering the Leonard Logo.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment against Defendant as follows:

(a) For a declaration pursuant to, inter alia, 17 U.S.C. §§ 101 and 201(a) that:

(i) Leonard is the sole author of the Leonard Logo;

(ii) Leonard's use of the Leonard Logo does not infringe any rights of Nike, including without limitation any rights Nike may claim to possess with respect to the Leonard Logo; and

1 (iii) Defendant committed fraud on the Copyright Office in
2 registering the Leonard Logo; and

3 (b) Any such other and further relief as this Court deems just and proper.

4 **DEMAND FOR JURY TRIAL**

5 Plaintiff Kahwi Leonard, an individual, hereby demands a jury trial.

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7 DATED: June 3, 2019

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9
10 **SULLIVAN & WORCESTER LLP**
11 By: PETER R. GINSBERG
12 (PRO HAC VICE PENDING)
13 MITCHELL C. STEIN
14 CLARK A. FREEMAN

15
16 **DUCKOR SPRADLING METZGER &**
17 **WYNNE**
18 A Law Corporation

19
20 Bv: /s/ Scott L. Metzger
21 SCOTT L. METZGER
22 WILLIAM P. KEITH

23
24 Attorneys for Plaintiff
25 KAWHI LEONARD

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS KAWHI LEONARD</p> <p>(b) County of Residence of First Listed Plaintiff <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) Duckor Spradling Metzger & Wynne 101 W. Broadway, Ste. 1700 San Diego, CA 92101 (619) 209-3000</p>	<p>DEFENDANTS NIKE, INC.</p> <p>County of Residence of First Listed Defendant <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known) '19CV1035 BAS BGS</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff, and One Box for Defendant)</p> <table border="0"> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> PTF 1</td> <td><input checked="" type="checkbox"/> DEF 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> PTF 4</td> <td><input checked="" type="checkbox"/> DEF 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input checked="" type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input checked="" type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	<input type="checkbox"/> PTF 1	<input checked="" type="checkbox"/> DEF 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF 4	<input checked="" type="checkbox"/> DEF 4	Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input checked="" type="checkbox"/> 6
Citizen of This State	<input type="checkbox"/> PTF 1	<input checked="" type="checkbox"/> DEF 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF 4	<input checked="" type="checkbox"/> DEF 4														
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input checked="" type="checkbox"/> 6														

<p>IV. NATURE OF SUIT (Place an "X" in One Box Only)</p> <p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input checked="" type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise</p> <p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability</p> <p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education</p> <p>PRISONER PETITIONS</p> <p>Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement</p>	<p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other</p> <p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>PROPERTY RIGHTS</p> <p><input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark</p> <p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions</p>	<p>OTHER STATUTES</p> <p><input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes</p>
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<p>V. ORIGIN (Place an "X" in One Box Only)</p> <p><input checked="" type="checkbox"/> 1 Original Proceeding</p>	<p><input type="checkbox"/> 2 Removed from State Court</p>	<p><input type="checkbox"/> 3 Remanded from Appellate Court</p>	<p><input type="checkbox"/> 4 Reinstated or Reopened</p>	<p>Transferred from (specify) _____</p>	<p><input type="checkbox"/> 6 Multi-district Litigation</p>
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<p>VI. CAUSE OF ACTION</p>	<p>Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. secs. 2201 and 2202, 28 U.S.C. sec. 1338</p> <p>Brief description of cause: Declaratory Relief</p>
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<p>VII. REQUESTED IN COMPLAINT:</p>	<p><input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.</p>	<p>DEMAND \$ N / A</p>	<p>CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
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<p>VIII. RELATED CASE(S) IF ANY</p>	<p>(See instructions): JUDGE</p>	<p>DOCKET NUMBER</p>
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DATE **June 3, 2019** SIGNATURE OF ATTORNEY OF RECORD **/s/ Scott L. Metzger**

FOR OFFICE USE ONLY

RECEIPT # **AMOUNT** APPLYING IFP **JUDGE** MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 - Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

TO:

Register of Copyrights
 Copyright Office
 Library of Congress
 Washington, D.C. 20559

REPORT ON THE
 FILING OR DETERMINATION OF AN
 ACTION OR APPEAL
 REGARDING A COPYRIGHT

In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION <input type="checkbox"/> APPEAL		COURT NAME AND LOCATION United States District Court, Southern District of California 333 West Broadway, Suite 420 San Diego, CA 92101	
DOCKET NO. 19CV1035 BAS BGS	DATE FILED 6/3/2019	DEFENDANT Nike, Inc.	
PLAINTIFF Kawhi Leonard			
COPYRIGHT REGISTRATION NO.	TITLE OF WORK		AUTHOR OR WORK
1 VA0002097900.	Kawhi Leonard Logo		Nike, Inc.
2			
3			
4			
5			

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading			
COPYRIGHT REGISTRATION NO.	TITLE OF WORK			AUTHOR OF WORK
1				
2				
3				

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached.

COPY ATTACHED <input type="checkbox"/> Order <input type="checkbox"/> Judgment		WRITTEN OPINION ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE RENDERED
CLERK		(BY) DEPUTY CLERK	DATE

1) Upon initiation of action,
 mail copy to Register of Copyrights 2) Upon filing of document adding copyright(s),
 mail copy to Register of Copyrights 3) Upon termination of action,
 mail copy to Register of Copyrights

DISTRIBUTION:

4) In the event of an appeal, forward copy to Appellate Court 5) Case File Copy